?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 11.02.2019
*CORAM
THE HON-BLE MR.JUSTICE P.N.PRAKASH
AND
THE HON-BLE MR. JUSTICE B.PUGALENDHI
+H.C.P.(MD)No.1826 of 2018
#Sangareshwaran
: Petitioner
Vs.
$1.The Superintendent of Police,
Madurai District
Madurai.

2.The Inspector of Police,
Kottampatti Police Station,
Kottampatti
Madurai District.

3.Maduraiveeran : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the body or person of the detenu, namely, Marriyammal, wife of Sangareshwaran, aged about 30 years and Abineshwaran, son of Sangareshwaran aged about 3 yeas before this Court and to set them at liberty.
!For Petitioner : Mr.T.Vadivelan
^For Respondents : Mr.K.Dinesh Babu for R1 & R2
Additional Public Prosecutor
:ORDER

[Order of the Court was made by P.N.PRAKASH, J]

It is the case of the petitioner that his wife Mariammal, developed intimacy with the third respondent and had eloped with him taking with her one child leaving the other with the petitioner. Hence, the Habeas Corpus Petition.

2. Today, Ms.B.Chandradevi, Sub Inspector of Police, Kottampatti Police Station, is present.

3. The Inspector of Police has filed a status report dated 18.01.2019, wherein, it has stated that a case in Crime No.159/2019 has been registered and investigation is in progress. In the status report, the police have also narrated the steps that are being taken by them to trace the detenu.

4. Since the detenu is a major and had on her own volition gone with the third respondent and that the whereabouts of the third respondent and the detenu are yet to be traced, this Court is of the view that no writ of Habeas Corpus can be issued in a case of this nature. Hence, the Habeas Corpus Petition is closed. However, the Deputy Superintendent of Police, Melur Sub

Division, is directed to monitor the investigation that is being conducted by the Sub Inspector of police, in Kottampatti Police Station Crime No.159/2019 and keep the petitioner informed of the developments, if any, from time to time.

To
1.The Superintendent of Police,
Madurai District
Madurai.

2.The Inspector of Police,
Kottampatti Police Station,
Kottampatti
Madurai District.

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.